

REMARKS

Claims 79-147 have been canceled without prejudice or disclaimer. Claims 148-203 have been added and therefore are pending in the present application. Claims 148-203 are supported by claims 79-147.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. The Election of Species Requirement

The Office requested Applicants to elect a single disclosed species of cellulase variants. As provided in the Office Action, Applicants provisionally elected with traverse the cellulase of SEQ ID NO: 5 mutated at a position corresponding to position 119 in SEQ ID NO: 1. Applicants confirm this election. Applicants reserve the right to file continuing applications directed to non-elected subject matter.

The basis for traverse is that there would not be a serious burden on the examiner if election of species were not required. All of the species are classified in the same class and subclass. Furthermore, the same prior art has to be considered in determining the patentability of each species. Applicants therefore request withdrawal of the election of species requirement.

II. The Rejection of Claims 79, 116, 136 and 139-143 under 35 U.S.C. 112

Claims 79, 116, 136, and 139-143 are rejected under 35 U.S.C. 112 as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. This rejection is respectfully traversed.

As provided in the previous response, the specification fully describes the cellulase variants of the present invention. Based on Applicants' disclosure, the skilled artisan would be led to make other mutations in addition to the mutations recited in the claims to obtain the benefits described in the present application. Applicants therefore submit that the specification demonstrates that Applicants had possession of the claimed invention at the time the application was filed.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 112. Applicants respectfully request reconsideration and withdrawal of the rejection.

III. The Rejection of Claims 79, 136, 139, 142 and 143 under 35 U.S.C. 103

Claims 79, 136, 139, 142, and 143 are rejected under 35 U.S.C. 103 as being unpatentable over Schulein et al. (A) (U.S. Patent No. 6,001,639) in view of Schulein et al. (B) (WO 94/07998). This rejection is respectfully traversed.

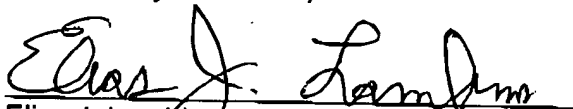
Schulein et al. (A) and Schulein et al. (B) disclose various cellulases and variants thereof. However, neither Schulein et al. reference teaches or suggests the cellulase variants of the present invention.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.

IV. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,



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